

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA

DOCKET NO. 2003-49-T - ORDER NO. 2006-154

MARCH 10, 2006

IN RE: Application of Henry G. Young, Jr. d/b/a	)	ORDER
Come Correct Coach, 1590 Ellis Avenue,	)	REINSTATING
Orangeburg, South Carolina 29118 (District	)	CERTIFICATE
6) for a Class C Charter Certificate of Public	)	
Convenience and Necessity.	)	

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of an Application filed by Henry G. Young, Jr. d/b/a Come Correct Coach (Applicant or Correct Coach) to reinstate Class C Charter Certificate of Public Convenience and Necessity No. 7351-A (Certificate). Certificate No. 7351-A was issued to Correct Coach pursuant to Commission Order No. 2003-323, dated May 15, 2003, which amended the passenger restriction on Correct Coach's original certification. Original certification to render motor passenger service was granted to the Applicant pursuant to Commission Order No. 2003-103, dated March 5, 2003.

By Commission Order No. 2005-662, dated November 10, 2005, and as subsequently amended by Order No. 2005-662(A), dated December 13, 2005, issued in Docket No. 2005-291-T, a formal hearing was set for holders of Certificates of Public Convenience and Necessity that had failed to file the required evidence of insurance and had failed to comply with the statutes governing operations of Motor Vehicle Carriers in South Carolina. The holders of Certificates addressed in Order No. 2005-662(A) were given thirty (30) days from the date of receipt of the Order to respond to the allegations of their failure to comply with the requirements stated above. The record reflects that

Correct Coach was a respondent to the Rule to Show Cause for failure to file the required evidence of insurance.

For those motor carriers who had not responded to the prior notifications of noncompliance, a public hearing regarding this matter was held on February 1, 2006, at 2:30 p.m. The Commission found that the Certificates of Public Convenience and Necessity held by certain carriers should be revoked and cancelled for the continued, willful violation by these carriers of the Commission's Rules and Regulations and/or the South Carolina statutes governing Motor Vehicle Carriers [S.C. Code Ann. Section 58-23-10 et. seq. (1976)], with the specific violation being the failure to maintain insurance coverage as required. Accordingly, the Commission issued Order No. 2006-108, dated February 10, 2006, which cancelled Correct Coach's Certificate No. 7351-A.

By letter received February 23, 2006, the Applicant requests that Correct Coach's Certificate in question be reinstated. According to the Applicant, Correct Coach was unaware of the cancellation of the Certificate in question until February 21, 2006. The Applicant advises that Correct Coach's original certificate of insurance filing did not list the Applicant's name suffix of "Jr." and that Correct Coach's corrected certificate of insurance was not received by the ORS until February 4, after the hearing in this matter on February 1, 2006.

At its regularly scheduled meeting on March 7, 2006, the Commission reviewed the case before it and after due consideration, the Commission concludes that the above-mentioned Certificate should be reinstated, subject to compliance with all the applicable statutes and the Commission's Rules and Regulations.

IT IS THEREFORE ORDERED:

1. That Class C Charter Certificate of Public Convenience and Necessity No. 7351-A in the name of Henry G. Young, Jr. d/b/a Come Correct Coach be, and hereby is, reinstated, subject to compliance with all Commission Rules and Regulations within sixty (60) days of the date of this Order.

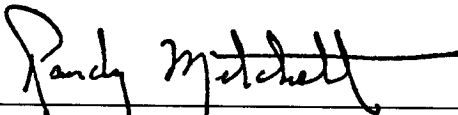
2. That all operating rights authorized under the Certificate are hereby reinstated, subject to compliance with all applicable statutes and the Commission's Rules and Regulations within sixty (60) days of the date of this Order.

3. That prior to compliance with the applicable statutes and the Commission's Rules and Regulations, including the requirements of filing proof of insurance and an acceptable safety rating, the motor carrier services authorized by the Certificate shall not be provided.

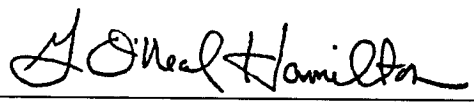
4. Failure of the Applicant either (1) to complete the certification process by complying with the Commission requirements of causing to be filed with the Office of Regulatory Staff proof of appropriate insurance and the payment of license fees and such other information required by law within sixty (60) days of the date of this Order or (2) to request and obtain from the Commission additional time to comply with the requirements of the Commission as stated above, shall result in the authorization approved in the Order being revoked.

5. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
\_\_\_\_\_  
Randy Mitchell, Chairman

ATTEST:

  
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G. O'Neal Hamilton, Vice Chairman

(SEAL)